

REMARKS

Applicant hereby traverses the election requirement issued by the Examiner and asks for its reconsideration and withdrawal.

The applicant respectfully requests that the Examiner withdraw the species election requirement and that he concurrently examine all of the claims now in the application. The avowed purpose of the Patent and Trademark Office in requiring an election, whether part of a species or invention restriction is the avoidance of a burdensome examination, i.e., to avoid multiple searches, etc. However, MPEP § 803, second paragraph, provides

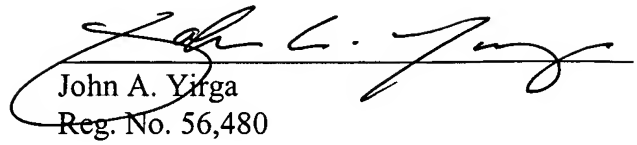
[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

It is respectfully submitted that the examination of all of the claims in this application will not place an undue burden on the Patent Office. Surely the Examiner must search the same areas in the art for sensors detecting fluid levels. It is respectfully submitted that the election requirement is improper and should be withdrawn

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 23-0630 for any additional fees required under 37 C.F.R. §§ 1.16, 1.17; particularly extension of time fees.

Respectfully submitted,

Dated: February 11, 2005



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